

#4

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
26/1145US(2)

In Re Application Of: Cory O. Nykoluk, David Mittleman, James E. O'Shea, Jr.

Serial No.
10/072,042

Filing Date
February 5, 2002

Examiner
TBA

Group Art Unit
3727



Invention:

PIVOTAL HANDLE FOR TOWABLE BAGGAGE

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

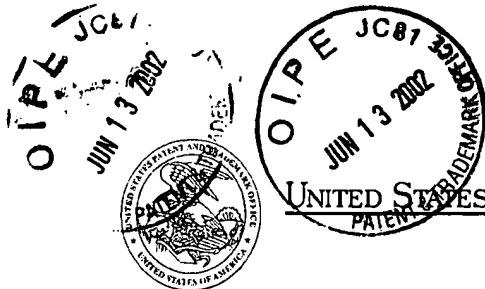
Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
March 5, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ _____ verified small entity declaration(s)
 - ☐ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☐ Other (list):

6/19/2002 BABRAH1 00000121 10072042
1 FC:216 200.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,042	02/05/2002	Cory O. Nykoluk	66513/8897

CONFIRMATION NO. 4190

FORMALITIES LETTER



OC000000007583664

21888
THOMPSON COBURN, LLP
ONE FIRSTAR PLAZA
SUITE 3500
ST LOUIS, MO 63101

Date Mailed: 03/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/19/2002 BABRAHA1 00000122 10072042

01 FC:205

65.00 OP

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
26/1145US(2)

In Re Application Of: **JOSEPH Q. NYKOLUK, DAVID MITTLEMAN, JAMES E. O'SHEA, JR.**

Serial No.
10/072,042

Filing Date
February 5, 2002

Examiner
TBA

Group Art Unit
3727

Invention:

PIVOTAL HANDLE FOR TOWABLE BAGGAGE

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees **\$65.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: May 5, 2002 until: July 5, 2002
Date Date

Total time extension fees **\$200.00**

Total fees due **\$265.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
26/1145US(2)

In Re Application Of: Cory O. Nykoluk, David Mittleman, James E. O'Shea, Jr.

Serial No.
10/072,042

Filing Date
February 5, 2002

Examiner
TBA

Group Art Unit
3727

Invention:

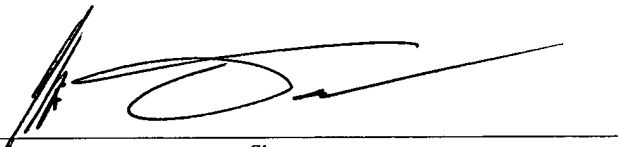
PIVOTAL HANDLE FOR TOWABLE BAGGAGE

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$265.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
A duplicate copy of this sheet is enclosed.



Signature

Dated:

6/13/02

Kirk A. Damman
Lewis, Rice & Fingersh, L.C.
500 North Broadway, Suite 2000
St. Louis, MO 63102
Customer No. 22822

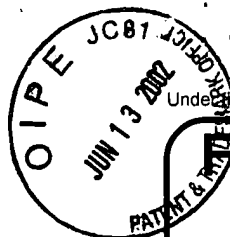
I certify that this document and fee is being deposited
on _____ with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence

Audrey Brazier

Typed or Printed Name of Person Mailing Correspondence

CC:



13

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$265.00

Complete if Known

Application Number	10/072,042
Filing Date	2/5/2002
First Named Inventor	Cory O. Nykoluk, et al.
Examiner Name	TBA
Group Art Unit	3727
Attorney Docket No.	26/1145US(2)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	

SUBTOTAL (1)

2. EXTRA CLAIM FEES FOR UTILITY AND

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-20** = 0	X	0.00
0	-3** = 0	X	0.00
0			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	203	18	9	Claims in excess of 20	
102	202	84	42	Independent claims in excess of 3	
104	204	280	140	Multiple dependent claim, if not paid	
109	209	84	42	** Reissue independent claims over original patent	
110	210	18	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Surcharge - late filing fee or oath	65.00
127	227	50	25	Surcharge - late provisional filing fee or cover sheet	
139	239	130	130	Non - English specification	
147	247	2,520	2,520	For filing a request for ex parte reexamination	
112	212	920*	920*	Requesting publication of SIR prior to Examiner action	
113	213	1,840*	1,840*	Requesting publication of SIR after Examiner action	
115	215	110	55	Extension for reply within first month	
116	216	400	200	Extension for reply within second month	200.00
117	217	920	460	Extension for reply within third month	
118	218	1,440	720	Extension for reply within fourth month	
128	228	1,960	980	Extension for reply within fifth month	
119	219	320	160	Notice of Appeal	
120	220	320	160	Filing a brief in support of an appeal	
121	221	280	140	Request for oral hearing	
138	238	1,510	1,510	Petition to institute a public use proceeding	
140	240	110	55	Petition to revive - unavoidable	
141	241	1,280	640	Petition to revive - unintentional	
142	242	1,280	640	Utility issue fee (or reissue)	
143	243	460	230	Design issue fee	
144	244	620	310	Plant issue fee	
122	222	130	130	Petitions to the Commissioner	
123	223	50	50	Processing fee under 37 CFR § 1.17(q)	
126	226	180	180	Submission of Information Disclosure Statement	
581	2581	40	40	Recording each patent assignment per property (times number of properties)	
146	246	740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	740	370	Request for Continued Examination (RCE)	
169	269	900	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$265.00

SUBMITTED BY

Name (Print/Type)

Kirk A. Damman

Registration No.
(Attorney/Agent)

42,461

Complete (if applicable)

Telephone

(314) 444-7783

Signature

Date

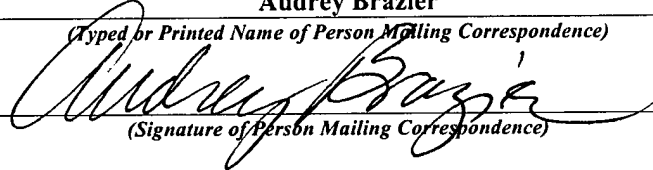
6/13/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

HH 06-14-02

#3 \$114P

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)		Docket No. 26/1145US(2)	
Applicant(s): Cory O. Nikoluk, David Mittleman, James E. O'Shea, Jr.			
Serial No. 10/072,042	Filing Date February 5, 2002	Examiner TBA	Group Art Unit 3727
Invention: PIVOTAL HANDLE FOR TOWABLE BAGGAGE			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;">Response to Notice to File Missing Parts with request for 2 month extension, copy of Notice, executed Declaration, and fees</div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p><u>June 13, 2002</u> (Date)</p> <div style="text-align: right; margin-top: 20px;"><p>Audrey Brazier <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><p> <i>(Signature of Person Mailing Correspondence)</i></p><p>EL 924378627 US <i>("Express Mail" Mailing Label Number)</i></p></div>			
Note: Each paper must have its own certificate of mailing.			